

ROOKER REPORT

April 2001

Published by the Davidson County Circuit Court Clerk's Office

Vol.9, No. 3



download
your forms
off web site

Legal forms for every occasion are being added to our internet web site, enabling attorneys and others immediate access without making a special trip to the courthouse.

The forms, exact duplicates of those used in all matters of civil litigation, can be downloaded for printing and utilized as official documents.

Some forms used in circuit and probate courts already have been added to the web site. Others, including those for the General Sessions Civil Division, will be added in the immediate future.

To access the forms, one needs only to call up our main menu at www.nashville.org/cir and select the court of choice where "forms" will be listed as a link option.

Circuit Court Clerk Richard Rooker characterized the new feature as one of convenience to those served by the civil court system.

"It's not always convenient for attorneys or their employees to come to the courthouse just for the purpose of obtaining a form they need for filing a case or documenting a certain phase of ongoing litigation," Rooker said. "Now, those with internet service will be able to get whatever forms they need without leaving the office."

Most of the forms are offered for downloading in PDF format while some are adaptable to "Word" software. Both formats are commonly compatible to most computers.

Changing of the Old Guard

Two Court Officers Retire; Ex-Retirees Replace Them

At a retirement breakfast in his honor, Marvin Thompson characterized his 11 years as a court officer for General Sessions Judge William Faimon as "a hoot" but added that "the time is right" for a change.

His sentiments were in line with those expressed just a short time earlier by Bob McClain, the resilient court officer who bounced back from a mild stroke early last year to continue his service for Judge Bill Higgins before departing earlier this month.

Strangely enough, two other public servants who made the same choice about a year ago will "unretire" to become their replacements.

Former veteran court officer Don Corn has returned to fill McClain's position. Corn served with Higgins for 11 years until his retirement on March 1 of last year to accept a union-affiliated position.

Faimon has selected Chick Donaldson, a retiree from the Davidson County Sheriff's Department, as a replacement for Thompson.

Donaldson is a longtime friend and supporter of



MARVIN THOMPSON



BOB MCCLAIN



DON CORN



CHICK DONALDSON

Faimon. "He painted my first campaign signs in 1982," Faimon recalled. "We go way back."

Before joining the Faimon team in 1990, Thompson spent 10 years on the staff of the Criminal Court Clerk.

His retirement means more quality time with wife Betty, who retired from the Circuit Court Clerk's office last October.

On the assumption that the couple will be spending a great deal of leisure time on their house boat, the judges presented Thompson with an autographed boat paddle, along with other parting gifts and chided words of wisdom.

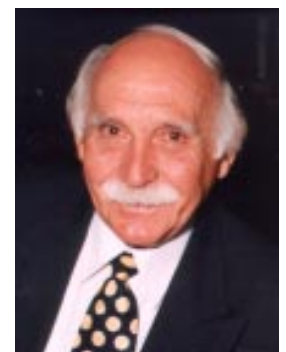
Suddenly, A Sad Goodbye

The sudden passing of attorney Bob Jennings on April 1 was a shock to the entire legal community, coming within a matter of days after being recognized in this publication for his outstanding 51 years of legal service.

Despite a devotion to physical conditioning that belied his 76 years, a hidden enemy from within proved to be an unbeatable adversary for the man who had suffered few losses at the counsel table over the past half century.

Mr. Jennings slipped quietly away at his home.

He was an authority on municipal law, having served as city attorney for both Nashville and Brentwood for the majority of his career. He played key roles in many landmark cases, including a major annexation of property into the Nashville Urban Services District, the development of Maryland Farms in Brentwood,



BOB JENNINGS
1924-2001

CHEERS...

Congratulations to deputy circuit court clerk **Mark Herring** on becoming a father for the second time. Wife **Julie** gave birth to a baby girl on April 16 at Baptist Hospital. **Madeline Elise Herring's** arrival weight was 8 pounds, 4 ounces and her overall length was 20 inches. She will make a great companion for big brother **Spencer**.

—o—

◆ It's good to see Circuit Court Judge Barbara Haynes back in her office following an absence for surgery.

—o—

◆ Several employees also have undergone surgery recently and have returned to work. Among them are General Sessions deputies **Deb Mix** and **Connie Colley** and deputy Probate clerk **Kim Jackson**.

—o—

◆ **Teri Sullivan**, who played a key role in guiding the Criminal Justice Information System (CJIS) through its development stages, has accepted a new position with the SEARCH agency after six years of service to Metro. Her contributions to the **Justice Information System** operations were duly noted during a gathering at a reception in her honor on April 12, the eve of her departure. We wish Teri great success in her new endeavor.

...TEARS



MIMI HAYES

For many years, **Mary Helen "Mimi" Hayes** was a helpful friend to Metro department heads and elected officials in their annual grapple with budget problems. As a longtime member of the Metro budget staff, her expertise was invaluable when questions arose. But she had no answer for the deadly cancer that consumed her for several years, finally taking her life on April 3 at the age of 57. She was a valuable asset to the government and the community with an upbeat attitude that marked her personality. She will be missed.

◆ Cancer also claimed the life of **David Gaines** of Madison, uncle of General Sessions Bookkeeper **Sandra Perryman**. Mr. Gaines lost his battle against the disease on April 6.

◆ Our sympathy also goes out to Metro Mail Room Supervisor **Terry Adkins** in the death of his sister **Kelly (Pepper) Finch** of Chapmansboro, who lost her struggle with cancer on April 12, just 13 days after her 37th birthday.

◆ Longtime bondsman **Dorris Brent** passed away on March 31 following an extended illness. He was 80. His wife of 49 years, **Betty**, and son **Mike Brent**, an attorney, survive.

◆ **Neill Smith Brown**, who was Metro Government's first director of law, died on March 21 at Veterans Hospital in Murfreesboro from respiratory illness. He was 87.

May Birthdays

Circuit Court Clerk

7 Michelle Sawyer
10 Suzanne Parker
25 Temesia Haris
27 Brenda Parks
28 Mike Smith
29 Bobbie Eden
30 Ricky Rooker

Probate Clerk

16 Lynn Randall
17 Kim Jackson

Traffic Violations

2 Beverly Swafford
6 Vickie Slate
8 Robert Coleman
25 Felice Graham
30 Ray Fuller

General Sessions

6 Dawn Martin
13 Delana Sullivan
29 Sue Burgett



Attorney Sam Wallace Sr. shares a warm moment with longtime secretary Patti McCoy (left), son Sam Wallace Jr., and fellow attorney Patricia Mayes during a luncheon honoring his retirement from law practice.

Sam Wallace Ends 43-Year Practice

Health concerns -- not choice -- caused Sam Wallace Sr. to take down the shingle from his law office on March 30.

For 43 years, the lanky, mild mannered gentleman of distinction has been a fixture in Nashville's courtrooms, defending the rights of clients. Now, he finds himself in the position of defending his own life against the most dreaded adversary of all -- cancer.

It is a time-demanding fight. A gut-wrenching fight. But not a hopeless fight.

Just like every lawsuit he has tackled for so many years, Wallace expects to win. He is optimistic. He is determined.

But he quickly realized he would have to be his own exclusive client, devoting every ounce of energy to staving off the inevitable assaults of chemotherapy treatments and the persistence of the wretched disease.

His announcement that he would close his law practice was sudden with little warning -- even to his closest friends at the Stahlman Building Round Table. But it did provide enough time for a quickly organized gathering of judges at every level of the local judiciary, along with members of the bar and others, for a fitting tribute to the popular lawyer--their friend.

A crowded criminal courtroom heard stories recalled by those who knew him best, each one drawing deserved rounds of applause, expressions of high esteem for a respected colleague.

And best wishes for victory in his last big trial.

A Sad Goodbye

(From Page 1)

and others too numerous to mention.

He received his law degree from Cumberland University School of Law, which he attended on an athletic scholarship.

He was known for his snappy attire and great sense of humor. His colorful dialogue enhanced his popularity in the courtroom and made him a central figure at the famous Round Table in the Stahlman Building where attorneys gather daily to talk law and relate personal experiences.

Following his death, flowers were placed on the table and his favorite chair was tilted forward in his memory. His spirit will continue to occupy that place at the table.

**Metro Docket
Moved from CJC
To Stahlman**

c 16.



JURY

TRIAL VERDICTS

ABBREVIATIONS:

P	PLAINTIFF	CP	COUNTER PLAINTIFF
D	DEFENDANT	CD	COUNTER DEFENDANT
PPD	PERM. PARTIAL DISABILITY	GSA	GENERAL SESSIONS APPEAL
CO	COMPENSATORY	TCPA	TN. CONSUMER PROTECT ACT

APPEALS

Week of March 5

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
95C-3712	MEDICAL MALPRACTICE	1ST	DEFENDANT			
00C-2989	GSA/AUTO ACCIDENT	8TH	(P) \$500	ADMITTED		PLAINTIFF
99C-2208	AUTO ACCIDENT/ST	6TH	(P) \$1,600	(P-35) (D-65)		
00C-455	AUTO ACCIDENT/ST	5TH	(P) \$3,800	ADMITTED		
99C-2562	PERSONAL INJURY	6TH	(D) DIRECTED			

Week of March 12

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-3451	AUTO ACCIDENT/ST	8TH*	(P) \$5,301	ADMITTED		

*--JURY WAIVED

Week of March 26

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-378	MEDICAL MALPRACTICE	5TH	DEFENDANT			
99C-2287	CONTRACT	8TH	(P) \$58,355			
99C-3397	AUTO ACCIDENT/ST	1ST	(P) \$10,691			

NON-JURY TRIAL RESULTS

APPEALS

Week of March 19

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-3419	GSA/CONTRACT	8TH	(P) \$1,131		P-\$4,746	DEFENDANT
00C-3277	GSA/AUTO ACCIDENT	1ST	(P) \$5,100		DISMISSED	PLAINTIFF
00C-853	GSA/CONTRACT	6TH	DISMISSED		P-\$2,500	DEFENDANT
00C-2683	GSA/CONTRACT	8TH	DISMISSED		P-\$2,100	DEFENDANT
98C-3426	WORKERS COMPENSATION	6TH	(P) 45%			
00C-3617	GSA/CONTRACT	8TH*	(P) \$4,800		P-\$6,200	BOTH PARTIES
98C-2055	DAMAGES	1ST	(P) \$1,500,000			
00C-1320	GSA/CONTRACT	1ST	(P) \$2,180		P-\$14,999	PLAINTIFF
00C-2275	GSA/CONTRACT	5TH	(P) \$750		DEFENDANT	PLAINTIFF
00C-3348	GSA/CONTRACT	8TH	(P) \$11,049		DISMISSED	BOTH PARTIES

*--HEARD BY SPECIAL MASTER MARSH NICHOLS

Check Out Our Web Site at www.nashville.org/cir

TRENDS



DATA BANK

Statistics compiled for the month of March

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	314
CIVIL CASES CONCLUDED	339
NEW DIVORCE CASES FILED	283
DIVORCE CASES CONCLUDED	196

General Sessions Civil

NEW CASES FILED	3,032
EXECUTIONS ISSUED	3,418
GARNISHMENT PAYMENTS	4,066
JUDGMENTS COLLECTED	\$672,793
ORDER OF PROTECTION PETITIONS	228

Probate Court

NEW CASES FILED	155
CASES CLOSED	203

Traffic Violations

MOVING CITATIONS	17,913
PARKING VIOLATIONS	9,809
TOTAL FINES COLLECTED	\$383,691
NULLIFICATIONS	1,638
NULLIFICATION FEES COLLECTED	\$19,650

UPCOMING HOLIDAY SCHEDULE:

Monday, May 28.....Memorial Day
 Wednesday, July 4.....Independence Day

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 Internet @ www.nashville.org/cir

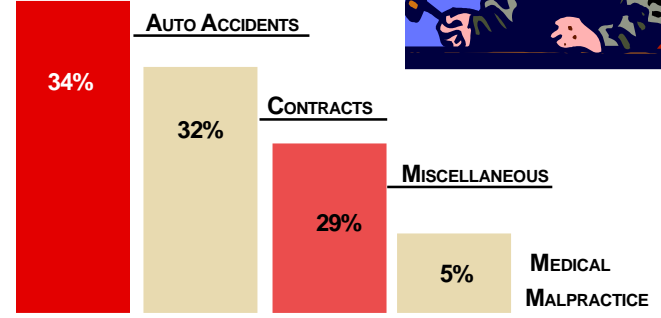
Established by George L. Rooker (1929-1993),
 (Circuit Court Clerk, 1968-1993)

Richard R. Rooker Circuit Court Clerk
 Gene Baker Editor



880-3309 for Gene Baker,
 ADA program coordinator

CIVIL TRIALS By CLASS



CASE ANALYSES



RATIO: PLAINTIFFS 1.9-1

AUTO ACCIDENTS

PLAINTIFFS 21
 DEFENDANTS 11

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY	9	7	2	6	1	2
FEBRUARY	6	6	0	5	1	0
MARCH	6	5	1	6	0	0

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	166,391	3,750-76,000	2,888
FEBRUARY	173,656	2,000-150,000	7,218
MARCH	21,892	500-10,691	3,567

NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	3,300	N/A	N/A
FEBRUARY	N/A	N/A	N/A
MARCH	5,100	N/A	N/A

SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	29,000	N/A	N/A
FEBRUARY	23,656	2,000-9,000	6,328
MARCH	21,392	1,600-10,691	4,550

*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	2	1	0	1
FEBRUARY	N/A	N/A	N/A	N/A
MARCH	2	2	0	0

OTHER TYPES



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	20	16	1	3

MARCH AWARDS: \$78,265-- TOTAL AWARDS TO DATE: \$110.473



MISCELLANEOUS

18

PLAINTIFFS	14
DEFENDANTS	2
NO VERDICT	2

MALPRACTICE

3

PLAINTIFFS	0
DEFENDANTS	3
NO VERDICT	0

